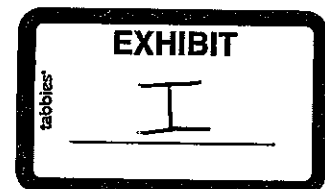STATE OF OHIO ᔑtark : SS
COUNTY OF ~~CUYAHOGA~~ Mᴀᐧᗠ :

STEVEN DAVIS, being duly sworn according to law, hereby deposes and states as follows:

1. Affiant is currently employed by the City of Solon Police Department at a sergeant.

2. Affiant has been a peace officer since 4/07/2008.

3. Affiant has been employed by the Solon Police Department since 4/07/2008.

4. Affiant is a member of the Southeast Area Law Enforcement Network's (hereinafter, "SEALE") Special Weapons and Tactics (hereinafter "SWAT") unit.

5. Affiant receives special training as a member of the SEALE SWAT unit including, but not limited to: 8 hours per month for team practice and 4 hours per quarter for sniper practice.

6. The purpose and intent of SEALE SWAT is to serve as a specialized, flexible unit, activated to assist member departments in the containment, de-escalation and ultimate control of all situations beyond the capabilities of a traditional on-duty police officer.

7. Affiant, as a member of the SEALE SWAT unit, routinely serves warrants within the jurisdictions of SEALE member municipalities.

8. Affiant, as a member of the SEALE SWAT unit, was contacted, "paged out", to assist with a high risk search warrant by the Cleveland Police Department's Gang Impact Unit on April 14, 2016.

9. Affiant was a member of the SEALE SWAT unit that assisted the Cleveland Police Department in the execution of its Search Warrant at 19409 Milan Drive, Maple Heights, Ohio ("the Premises ") on April 15, 2016.

10. Affiant did not acted in the capacity of the SWAT Team Commander with regard to the April 15, 2016 Search Warrant.

11. The function of reviewing the April 15, 2016 search warrant is handled by the SEALE Team Commander who served as the liaison between SEALE SWAT unit and the Cleveland Police Department.

12. Affiant was one (1) of eleven (11) members of the SEALE SWAT present the Premises on April 15, 2016, at approximately 7:00 a.m., to assist the CPD in the execution of a Search Warrant.

13. On April 15, 2016, at approximately 7:00 a.m., members of the SEALE SWAT unit knocked (on the front door) of the Premises and announced that they were police officer executing on a warrant.

EXHIBIT
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14. Upon no one from the home answering the door, members of the SEALE SWAT unit breached the front door.

15. Upon the door being breached, Affiant deployed a Noise and Flash Diversionary Device (NFDD) into the threshold of the home.

16. Affiant, Sgt. Kulak, and Officer Dodge were the first members of the SEALE SWAT unit to entered into the home following the NFDD.

17. Affiant heard a gunshot from inside the home immediately upon entering into the home.

18. Affiant and the other members of the SEALE SWAT unit's sole involvement in the execution of any search warrant, and in particular the search warrant identified in ¶10 above, is limited to securing the property and persons present at the location.

19. Once Affiant and the other members of the SEALE SWAT unit secure the property and location identified in the search warrant, the investigating police entity involved completes its search pursuant to the terms of the warrant.

20. Affiant had no involvement in the search of the Premises on April 15, 2016.

21. Affiant had no involvement investigating any crime that occurred at the Premises on April 15, 2016.

22. The Maple Height Police Department, and not Affiant nor the Solon Police Department, investigated and arrested Andrew Carr on April 15, 2016.

23. Affiant did not testify before the Cuyahoga County Grand Jury on Mr. Carr's criminal case.

24. Affiant was never subpoenaed to testify in Carr's criminal case.

25. Affiant was never consulted by the Cuyahoga County Prosecutor's Office during the pendency of Carr's criminal case, nor notified about the criminal case being dismissed without prejudice.

26. Affiant only involvement in Carr's criminal case was being identified as victims in the Indictment.

AFFIANT FURTHER SAYETH NAUGHT.

_____
STEVEN DAVIS

SWORN TO BEFORE ME and subscribed in my presence on this 13 day of September, 2018.

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NOTARY PUBLIC

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